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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,692	11/09/2001	Lieve Maria Marcella Rosemarijn Bos	Q67152	5782

7590 09/09/2004  
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EXAMINER
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BARNIE, REXFORD N

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/986,692	<b>Applicant(s)</b> BOS ET AL.	
	<b>Examiner</b> REXFORD N BARNIE	<b>Art Unit</b> 2643	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 09 November 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☒ None of:  
         1. ☒ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>09/06/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vilain (US Pat# 5,461,669) in view of Rotter et al. (US Pat# 5,901,143) or Faccin et al. (US 2002/0127995).

Regarding claim 1, Vilain teaches a communication system comprising of a SPF, SCP and an application server in (see fig. 4). Furthermore, Vilain teaches a bearer level system including a receiving means and querying means for communicating with the SCP for call processing data in order to complete calls. Furthermore, a SCP can interact with other units to receive information about a call in (see col. 3 lines 51-60). A bearer

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control interface makes the various interactions possible. Vilain teaches processing and analyzing call set up information which would include determination of call charging information in (see col. 5 lines 13-26). Vilain teaches being able to provide multi-media services in (see col. 1 lines 53-59) but fails to teach a multimedia communication system.

Rotter et al. teaches a radio communication system where a protocol defines and supports two or more different packets type and process them differently in (see col. 2). Furthermore, according to (see col. 4 lines 18-28), multimedia services can be provided by the communication system.

Faccin teaches a communication system which uses a bearer interface when communicating between a SCP and a SSP and has the capability of providing multimedia services in (see fig. 2). Furthermore, charging information is gathered based on provided services (type).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of either Rotter or Faccin into that of Vilain thus making it possible to provide multimedia services and billing accordingly based on provided service data

Regarding claim 2, The combination teaches a general packet radio support node.

Regarding claim 3, COPS is notoriously well known for its ability to communicate with other other network elements in what's known as an open communication system.

Regarding claim 4, Vilain teaches a communication system comprising of a SPF, SCP and an application server in (see fig. 4). Furthermore, Vilain teaches a bearer level system including a receiving means and querying means for communicating with the SCP for call processing data in order to complete calls. Furthermore, a SCP can interact with other units to receive information about a call in (see col. 3 lines 51-60). A bearer control interface makes the various interactions possible. Vilain teaches processing and analyzing call set up information which would include determination of call charging information in (see col. 5 lines 13-26). Vilain teaches being able to provide multi-media services in (see col. 1 lines 53-59) but fails to teach a multimedia communication system.

Rotter et al. teaches a radio communication system where a protocol defines and supports two or more different packets type and process them differently in (see col. 2). Furthermore, according to (see col. 4 lines 18-28), multimedia services can be provided by the communication system.

Faccin teaches a communication system which uses a bearer interface when communicating between a SCP and a SSP and has the capability of providing multi-media services in (see fig. 2). Furthermore, charging information is gathered based on provided services (type).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of either Ratter or Faccin into that of Vilain thus making it possible to provide multimedia services and billing accordingly based on provided service data

Regarding claim 5, Vilain teaches a communication system comprising of a SPF, SCP and an application server in (see fig. 4). Furthermore, Vilain teaches a bearer level system including a receiving means and querying means for communicating with the SCP for call processing data in order to complete calls. Furthermore, a SCP can interact with other units to receive information about a call in (see col. 3 lines 51-60). A bearer control interface makes the various interactions possible. Vilain teaches processing and analyzing call set up information which would include determination of call charging information in (see col. 5 lines 13-26). Vilain teaches being able to provide multi-media services in (see col. 1 lines 53-59) but fails to teach a multimedia communication system.

Rotter et al. teaches a radio communication system where a protocol defines and supports two or more different packets type and process them differently in (see col. 2). Furthermore, according to (see col. 4 lines 18-28), multimedia services can be provided by the communication system.

Faccin teaches a communication system which uses a bearer interface when communicating between a SCP and a SSP and has the capability of providing multi-media services in (see fig. 2). Furthermore, charging information is gathered based on provided services (type).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of either Rotter or Faccin into that of Vilain thus making it possible to provide multimedia services and billing accordingly based on provided service data.

Regarding claim 6, the combination teaches a bearer level system for use in multiple of call processing parameters including call charging arrangement.

Regarding claim 7, Vilain teaches a communication system comprising of a SPF, SCP and an application server in (see fig. 4). Furthermore, Vilain teaches a bearer level system including a receiving means and querying means for communicating with the SCP for call processing data in order to complete calls. Furthermore, a SCP can interact with other units to receive information about a call in (see col. 3 lines 51-60). A bearer control interface makes the various interactions possible. Vilain teaches processing and analyzing call set up information which would include determination of call charging information in (see col. 5 lines 13-26). Vilain teaches being able to provide multi-media services in (see col. 1 lines 53-59) but fails to teach a multimedia communication system.

Rotter et al. teaches a radio communication system where a protocol defines and supports two or more different packets type and process them differently in (see col. 2). Furthermore, according to (see col. 4 lines 18-28), multimedia services can be provided by the communication system.

Faccin teaches a communication system which uses a bearer interface when communicating between a SCP and a SSP and has the capability of providing multi-media services in (see fig. 2). Furthermore, charging information is gathered based on provided services (type).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of either Rotter or Faccin into

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that of Vilain thus making it possible to provide multimedia services and billing accordingly based on provided service data.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **REXFORD N BARNIE** whose telephone number is (703)306-2744. The examiner can normally be reached on M-F 9:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CURTIS KUNTZ can be reached on (703) 305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PRIMARY EXAMINER  
REXFORD BARNIE  
09/06/04

*R. D. Barnie*  
REXFORD BARNIE  
PRIMARY EXAMINER